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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/030,126	01/24/2002	Kenji Yonemochi	011785	6721
23850	7590	11/23/2004	EXAMINER	
ARMSTRONG, KRATZ, QUINTOS, HANSON & BROOKS, LLP 1725 K STREET, NW SUITE 1000 WASHINGTON, DC 20006			HEITBRINK, JILL LYNNE	
			ART UNIT	PAPER NUMBER
			1732	

DATE MAILED: 11/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/030,126

Applicant(s)

YONEMOCHI ET AL.

Examiner

Jill L. Heitbrink

Art Unit

1732

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) 3-13 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 8/17/04.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

Election/Restrictions

1. Claims 3-13 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in Paper filed May 4, 2004.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Fujishiro et al. Pat. No. 5,902,534.
4. Fujishiro et al. disclose an in-mold coating method wherein a mold is opened (col. 6, lines 35-42) at a predetermine interval after a thermoplastic resin material is subjected to an injection molding within a mold (col. 6, lines 32-34), a predetermined amount of coating material is injected into a space formed between the surface of the thermoplastic resin molded product and the internal surface of the mold cavity (col. 30, lines 19-21), reclosing the mold upon the completion of injection of the coating material (col. 30, lines 36-43), the injected coating material is allowed to cure (col. 30, lines 48-51) within the mold so as to obtain an integrally formed molded product having a coating layer tightly adhered to the surface including injection of a coating material after a time period for the thermoplastic resin surface to withstand an injection pressure and flowing pressure of the coating material (col. 5, lines 11-21). The injection time of the coating

material being within the range as defined in step (2) and the reclosure time of the mold being within the range as defined in step (3) is met by Fujishiro since the injection is stopped before the reclosing action of the mold and before the coating is cured (col. 30, lines 12-57). Therefore, Fujishiro operates within the claimed time ranges. The injection of the coating material being conducted at a time when the thermoplastic resin arrives at a temperature equal to or lower than its thermally deforming temperature in the case of amorphous material or at a time when the thermoplastic resin arrives at a temperature equal to or lower than its crystallizing temperature for crystalline resin is disclosed by Fujishiro et al. since the material has been dwelling (col. 5, lines 22-49) and the thermoplastic being amorphous or crystalline (col. 30, lines 10-32).

5. Applicant's arguments filed September 1, 2004 have been fully considered but they are not persuasive.

6. Applicant argues that there is no need to wait for the time when the pressure to be applied to the cavity after the injection of the thermoplastic molten resin is completed becomes zero and that Fujishiro does not teach shortening the time. However, applicant is claiming a time range within that of Fujishiro as clearly shown in the rejection. Applicant's time ranges as defined in relation to t_1 are large and within the time range of Fujishiro.

7. As to Fujishiro not teaching the positive retraction of the movable mold to form the space for the injection of the coating material. Fujishiro states "the step of decreasing the clamping force of the mold to zero after the dwelling step is completed,

and then spacing the movable mold member from the fixed mold member” at col. 6, lines 36-38.

8. Applicant argues that Fujishiro is silent as to the length of time to be required for the injection of a coating material and the completion timing of the reclosing step in terms of gelling time. The injection time of the coating material being within the range as defined in step (2) and the reclosure time of the mold being within the range as defined in step (3) is met by Fujishiro since the injection is stopped before the reclosing action of the mold and before the coating is cured (col. 30, lines 12-57).


9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jill L. Heitbrink whose telephone number is (571) 272-1199. The examiner can normally be reached on Monday-Friday 9 am -2 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Colaianni can be reached on (571) 272-1196. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Jill L. Heitbrink
Primary Examiner
Art Unit 1732

jlh